

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	ORDER GRANTING MOTION FOR RECONSIDERATION OF DETENTION AND SETTING CONDITIONS OF RELEASE
)	
Plaintiff,)	
)	
vs.)	Case No. 1:24-cr-006
)	
Leighton Corey Starr,)	
)	
Defendant.)	

On January 22, 2024, the court issued an order conditionally releasing Defendant to an inpatient substance abuse treatment program at the Keystone Treatment Center in Canton, South Dakota. (Doc. No. 18). On March 19, 2024, the court issued an order modifying Defendant's release conditions to allow him to transition to a sober living facility in Bismarck, North Dakota. (Doc. No. 26).

On April 10, 2024, the parties filed a plea agreement. (Doc. No. 27). Defendant subsequently suffered a relapse, violated his release conditions, and was consequently ordered detained pending final disposition of this matter. (Doc. Nos. 35, 37, 42).

On May 23, 2024, Defendant entered a guilty plea to the offense charged in his Indictment: child neglect in Indian Country in violation of 18 U.S.C. §§ 13 and 1153 as well as N.D.C.C. §§ 14-09-22.1 and 12.1-32-01. (Doc. No. 43). His sentencing hearing is presently scheduled for August 21, 2024, at 11:00 AM. (Doc. No. 38).

On June 10, 2024, Defendant filed a Motion to Reconsider Order of Detention. (Doc. No. 44). He requests to be conditionally released to the Glowing Eagle Sober Living Lodge ("Glowing Eagle Lodge"), a sober living facility in Parshall, North Dakota. He advises that Good Road

Recovery staff can transport him to the Glowing Eagle Lodge and that Glowing Eagle Lodge staff can thereafter transport to him to Bismarck to meet with his supervising Pretrial Services Officer as necessary.

There being no objection from the United States, the court **GRANTS** Defendant's motion (Doc. No. 44). Defendant shall be released at 10:00 AM on June 12, 2024, to Good Road Recovery staff for immediate transport to the Glowing Eagle Lodge. Defendant's release is subject to the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, any use of medical marijuana, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test.
- (4) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall not knowingly or intentionally have any direct or indirect contact with witnesses or co-defendants, except that counsel for Defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is

necessary in the furtherance of Defendant's legal defense.

- (7) Defendant shall reside at the Glowing Eagle Lodge, fully participate in its programming, and comply with all of its rules and regulations.
- (8) Defendant must sign all release forms to allow the Pretrial Services Officer to obtain information from the sober living home OR to communicate with the sober living home about the Defendant's progress there.

Any overnight passes from the sober living home must be approved by the Pretrial Services Officer.

While residing at the sober living home, Defendant must seek and maintain employment. Employment must be approved by the Pretrial Services Officer.

If for any reason Defendant is terminated from the sober living home, the Defendant must immediately surrender to the custody of the United States Marshal.

At least 96 hours prior to anticipated transition from a sober living home to another residence, Defendant must advise the Pretrial Services Officer of the anticipate transition date so that the Court can review the Defendant's release status.

- (9) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of his release. Defendant shall notify any other residents that the premises may be subject to search pursuant to this condition.
- (10) Defendant shall not obtain a passport and other foreign travel document(s).
- (11) Defendant must report as soon as possible, to the Pretrial Service Office or his

supervising Pretrial Service Officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

- (12) Within 24 hours of arriving at the Glowing Eagle Lodge, Defendant shall contact Pretrial Services Officer Stephanie Cherney at (701) 530-2396.

IT IS SO ORDERED.

Dated this 11th day of June, 2024.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court